

REMARKS/ARGUMENTS

Claims 3 and 4 are pending in the present application. Applicant's request to replace paragraph 4, beginning at line 5 of the previous office action was not allowed as the text was inconsistent with the text in the instant application.

The proposed drawing correction of the previous office action was disapproved as containing new matter. The drawings were objected to because reference numerals 35A, 35B, 39, 51 and 63A were missing. The specification was objected to for failing to provide proper antecedent basis for the claimed subject matter. The amendment filed April 5, 2006, is objected under 35 U.S.C. § 132(a) as introducing new matter into the disclosure. Claims 3 and 4 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which is not described in the specification in such a way to reasonably convey to one skilled in the relevant art that the inventor at the time the application was filed had possession of the claimed invention. Applicant respectfully requests that the Examiner to reconsider all objections. Applicant traverses all rejections.

The request to replace the paragraph at page 4 beginning at line 5 was not effected as it was inconsistent with the text of previous amendments. Applicant has with this amendment provided an amendment consistent with previous amendments submitted and requests this amendment be entered. The amends to the specification all have proper antecedent basis in the parent application at page 5 lines 13-22.

The proposed drawing correction was disapproved as containing new matter. Specifically, overflow drain pipe 34, according to the Examiner, is not supported by the original disclosure. Applicant respectfully requests that the Examiner reconsider his position as the overflow drain pipe 34 is

identical to the overflow drain pipe shown in the drawing in the parent application Serial No. 10/247,247. Thus, this drain pipe cannot be considered new matter and is properly supported, not only in the specification, but also in the parent application. Thus, Applicant respectfully requests the Examiner reconsider the objection to the drawing.

The drawings have been objected to because several reference numerals are not present. The specification has been amended to eliminate these reference numerals and this objection is considered moot.

The specification was objected to for failing to provide proper antecedent basis for the claimed subject matter. Specifically, proper antecedent for the "solid plate" as set forth in claims 3 and 4 cannot be found in the specification. Applicant has amended claims 3 and 4 to eliminate the word "solid" from both claims as proper antecedent basis is found for the term "plate." Thus, Applicant considers this objection overcome and respectfully requests withdrawal of the objection.

The amendment filed April 5, 2006, is objected to under 35 U.S.C. § 132(a) as introducing new matter into the disclosure. The previous amendment added the sentence "pipe 42 interconnects vent pipe 40 and the upper end of overflow drain pipe 34. (Fig. 1A)." On page 4, lines 16-17 of the parent application the parent states "the pipe 42 interconnects vent pipe 40 and the upper end of overflow drain pipe 34. (fig. 1A)." This is identical to the sentence added to this paragraph. In fact, every sentence of the paragraph in the parent found at page 4, lines 15-21 is identical to every sentence in this present paragraph. Thus, this amendment cannot be considered to add new matter and Applicant respectfully requests the Examiner reconsider the rejection.

Claims 3 and 4 are rejected under 35 U.S.C. § 112, first paragraph as containing subject matter which is not described in the specification in such a way to reasonably convey to one skilled in the relevant art that the inventor at the time the application was filed had possession of the claimed invention. Specifically, claim 3 recites a plug including a "hollow stub tube" and claim 4 recites similar subject matter. The Applicant with this amendment is resubmitting the amendment of the first paragraph at page 4, lines 4-14 in proper form and this amendment adds the hollow stub tube description to the specification. Additionally, the amendment gains its antecedent basis from the parent application on page 5, lines 13-22 that similarly requires a hollow stub tube (at line 16). Thus, Applicant considers the rejection overcome.

Consequently, Applicant respectfully requests allowance of all claims.

This identical amendment was presented to the Examiner in an Amendment After Final dated May 24, 2006. In response, an Advisory Action was presented stating that this amendment did not place the application in condition for allowance because pipe 42 is not present in U.S. Patent Application Serial No. 10/247,247 and second, the term "hollow stub tube" was not present in the instant application at filing. Applicant requests the Examiner reconsider both of these positions. First, the numeral 42 does appear in Fig. 1A of U.S. Serial No. 10/247,247 as has been presented by the Examiner and is the identical 42 that is provided in the drawing amendment. Thus, in the figures, 42 identifies the exact same element and cannot be considered new matter.

Next, the Examiner objects because the term "hollow stub tube" was not present in the instant application at filing. As

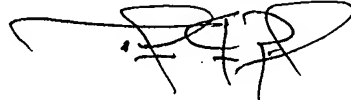
indicated by the Applicant in this amendment, the term "hollow stub tube" was in the parent application and thus, even if the term "hollow stub tube" was not present at filing during this application, it cannot be considered new matter as the term was within the scope of the inventor at the time the present application was filed. Therefore, Applicant requests allowance of all claims.

CONCLUSION

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,



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